

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

|   |   |                                     |
|---|---|-------------------------------------|
| FRANCIS M. MACHI, JR.,                  | : | Bankruptcy No. 14-23154-CMB         |
| aka FRANK M. MACHI, JR.                 | : |                                     |
|   | : | Chapter 11                          |
| Debtor(s).                              | : |                                     |
|   | : | Document No. <u>568</u>             |
| Dyer Law Firm, P.C.                     | : |                                     |
|   | : | Related to Doc. Nos. 463, 464, 466, |
| Movant,                                 | : | 467, 468, 485, 487, 520, 521, 529,  |
|   | : | 532, 533, 534, 539, 540, 542, 545,  |
| v.                                      | : | 549, 551, 553, 554, 561, 563, 564,  |
|   | : | 565 & 566                           |
| Francis M. Machi, Jr., a/k/a Frank M.   | : |                                     |
| Machi and Jeffrey J. Sikirica, Trustee, | : |                                     |
|   | : |                                     |
| Respondents.                            | : |                                     |

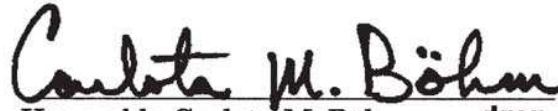
ORDER OF COURT

AND NOW, this 28th day of July, 2017, after a previous hearing in open Court on the Motion to Approve Settlement filed at Docket 549 and amended at Docket No. 551, and upon consideration of the Settlement Term Sheet being attached and made a part of this Order, it is hereby Ordered, Adjudged and Decreed that:

1. The payment by Francis M. Machi, Jr. a/k/a Frank M. Machi of \$72,500.00 to 6350 Waldron Street, LLC as set forth in paragraph #2 of the Settlement Term Sheet will also satisfy in full any and all secured claims that Erin P. Dyer individually or the Dyer Law Firm, P.C. may have against any real or personal property of Francis M. Machi, Jr. a/k/a Frank M. Machi,
2. The Motion to Approve Settlement is granted with the added provision to the Settlement Term Sheet as set forth in paragraph 1 of this Order, and,

3. The Motion for Relief from Stay filed at docket 463<sup>467</sup> is settled and closed by  
this Order.

BY THE COURT:



Honorable Carlota M. Böhm dmr  
United States Bankruptcy Judge

FILED  
7/28/17 11:22 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

SETTLEMENT TERM SHEET

This Settlement Term Sheet ("Term Sheet") is made the 20<sup>th</sup> day of March, 2017, by, between and among Jeffrey J. Sikirica, Chapter 11 Trustee for the bankruptcy estate of Frank M. Machi, Jr. (the "Trustee"), Frank M. Machi, Jr. (the "Debtor"), 6350 Waldron Street, LLC ("Waldron"), Dyer Law Firm, P.C. (the "Dyer Firm") and Erin P. Dyer ("Attorney Dyer"), on terms as follows:


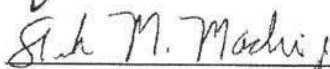
1. In the matter of Waldron as Movant versus Machi and the Trustee as Respondents, Waldron shall pay \$17,500.00 to the Trustee in exchange for the Trustee consenting to Waldron's request for relief from stay and the Trustee giving to Waldron a waiver and release of any further interest in the real property known as 4125 Butler Street, Pittsburgh, Pennsylvania (the "Butler Street Property"), and a purported Joint Venture Agreement, partnership or any other affiliation, allegedly involving the Debtor.
2. Waldron timely filed Proof of Claim No. 13-1 (as amended at No. 13-2), asserting a secured claim for \$65,467.40 and has provided information to the Trustee through which the amount of Waldron's secured claim is \$81,221.39 as of March 30, 2017 (the "Secured Claim"). As part of this settlement, Waldron is to receive \$72,500.00 in full satisfaction of its Secured Claim.
3. The Debtor will provide to Attorney Dyer and the Dyer Firm a general release, to include an acknowledgment that neither Attorney Dyer nor the Dyer Firm has ever represented the Debtor, pre-or post-bankruptcy.
4. Waldron and the Trustee agree that the Debtor may remove personal property from the Butler Street Property and sell or otherwise dispose of it as the Debtor so determines.
5. The following parties shall provide mutual general releases to the others as follows:
  - A. The Trustee in favor of Waldron, Attorney Dyer and the Dyer Firm and vice-versa; and
  - B. The Debtor in favor of Waldron, Attorney Dyer and the Dyer Firm and vice-versa.
6. Waldron, the Dyer Firm and Attorney Dyer agree to release whatever, if any, other liens or claims any of them holds or may hold against other assets of the Debtor's bankruptcy estate.
7. The parties agree to utilize reasonable efforts to consummate the terms of their settlement within twenty (20) days after their settlement is approved by the Bankruptcy Court.



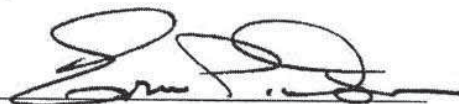
8. If the settlement of the parties is not approved by the Bankruptcy Court, it shall be deemed that this Term Sheet, and any settlement agreement subsequently prepared as to it, shall be void, as if they never existed.

9. The Trustee has agreed to promptly draft a settlement document for review by the other parties. Waldron's Counsel shall draft a Rule 9019 Motion for review by the other parties.


Executed in Pittsburgh, Pennsylvania.


  
\_\_\_\_\_  
Jeffrey J. Sikirica, Chapter 11 Trustee  
\_\_\_\_\_  
Frank M. Machi, Jr., an individual

6350 WALDRON STREET, LLC

By:   
Name: Erin P. Dyer  
Title: Managing Member

DYER LAW FIRM, P.C.

By:   
Name: Erin P. Dyer  
Title: President

  
\_\_\_\_\_  
Erin P. Dyer, an individual

In re:  
Francis M. Machi, Jr.  
Debtor

Case No. 14-23154-CMB  
Chapter 11

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dric  
Form ID: pdf900

Page 1 of 3  
Total Noticed: 26

Date Rcvd: Jul 28, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 30, 2017.

db +Francis M. Machi, Jr., 3823 Mintwood Street, Pittsburgh, PA 15201-1221  
aty Calaiaro Valencik, 428 Forbes Ave., Ste. 900, Pittsburgh, PA 15219-1621  
aty +Domenic A. Bellisario, Law Office of Domenic A. Bellisario, 310 Grant Street, Suite 1302, Pittsburgh, PA 15219-2229  
op +6350 Waldron Street, LLC, 128 S. 2nd Street, Clarsburg, WV 26301-2921  
r +Donna Fischer, Coldwell Banker, 9600 Perry Highway Suite 100, Pittsburgh, PA 15237-5552  
cr +Equitable Gas Bankruptcy Department, Attn: Judy Gawlowski, 225 North Shore Drive 2nd Floor, Pittsburgh, PA 15212-5860  
acc Harry Barnes, Barnes Corporation, 215 Brookside Blvd., Pittsburgh, PA 15241-1511  
cr +OCWEN LOAN SERVICING, LLC AS SERVICER FOR WELLS FA, 6409 Congress Avenue, Suite 100, Boca Raton, FL 33487-2853  
13941919 +City and School District of Pittsburgh, c/o Goehring Rutter & Boehm, 437 Grant Street, 14th Floor, Pittsburgh, PA 15219-6101  
13941916 +County of Allegheny, c/o Goehring Rutter & Boehm, 437 Grant Street, 14th Floor, Pittsburgh, PA 15219-6101  
13985415 +DLJ Mortgage Capital, Inc., c/o Select Portfolio Servicing, Inc., 3815 South West Temple, Salt Lake City, UT 84115-4412  
14070823 +DLJ Mortgage Capital, Inc., c/o Select Portfolio Servicing, PO Box 65450, Salt Lake City, UT 84165-0450  
13963926 +Mark Machi, 307 Shady Lane, Glenshaw, PA 15116-3149  
14034350 +Peoples Natural Gas Company LLC Equitable Division, 225 North Shore Drive, Pittsburgh, PA 15212-5860, Attn: Dawn Lindner  
13941921 +Pittsburgh Water & Sewer Authority, c/o Goehring Rutter & Boehm, 437 Grant Street, 14th Floor, Pittsburgh, PA 15219-6101  
13997137 +Plane Fitness, 1635 S. Braddock Avenue, Pittsburgh, PA 15218-1663  
13956785 +Specialized Loan Servicing LLC, 8742 Lucent Blvd Suite 300, Highlands Ranch, CO 80129-2386  
13900850 +Straka & McQuone, Inc., 1099 Ohio River Boulevard, Sewickley, PA 15143-2081  
14041993 U.S. Bank N.A., c/o Ocwen Loan Servicing, LLC, Attn: Bankruptcy Department, P.O. BOX 24605, West Palm Beach, FL 33416-4605  
13982418 +Wells Fargo Bank, N.A. as Trustee, c/o Select Portfolio Servicing, Inc., 3815 South West Temple, Salt Lake City, UT 84115-4412

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

13900848 +E-mail/Text: ccusa@ccuhome.com Jul 29 2017 01:10:15 Dr. J.A. Straka, c/o Credit Collections U.S.A., 16 Distributor Drive, Suite 1, Morgantown, WV 26501-7209  
13980961 +E-mail/Text: DQENOTICES@BERNSTEINLAW.COM Jul 29 2017 01:11:18 Duquesne Light Company, c/o Peter J. Ashcroft,, Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,, Pittsburgh, PA 15219-1945  
14005299 E-mail/Text: cio.bncmail@irs.gov Jul 29 2017 01:10:23 INTERNAL REVENUE SERVICE, 1000 LIBERTY AVENUE ROOM 705, PITTSBURGH, PA 15222  
14123161 +Fax: 407-737-5634 Jul 29 2017 01:39:14 OCWEN LOAN SERVICING, LLC, ATTN: CASHIERING DEPARTMENT, 1661 WORTHINGTON RD., SUITE 100, WEST PALM BEACH, FL 33409-6493  
13900849 +Fax: 407-737-5634 Jul 29 2017 01:39:14 Ocwen Loan Servicing, LLC, 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409-6493  
13915333 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Jul 29 2017 01:10:36 Pennsylvania Department of Revenue, Bankruptcy Division PO BOX 280946, Harrisburg, PA 17128-0946

TOTAL: 6

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr Allegheny County  
cr City and School District of Pittsburgh  
cr DLJ Mortgage Capital, Inc.  
cr Duquesne Light Company  
cr Jennifer Mariani  
md Norman Gilkey  
cr Ocwen Loan Servicing, LLC as servicer for U.S. Ban  
cr Pittsburgh Water & Sewer Authority  
cr U.S. Bank N.A., as Trustee for the registered hold  
cr U.S. Bank National Association Et Al...  
cr Wells Fargo Bank, N.A., as Trustee, for the certi  
cr Wells Fargo Bank, N.A., as Trustee, et al...  
cr Wells Fargo Bank, N.A., et. al.  
cr\* +Dyer Law Firm, P.C., 5743 Centre Avenue, Pittsburgh, PA 15206-3707  
cr\* +Mark Machi, 307 Shady Lane, Glenshaw, PA 15116-3149  
14135512\* +Ocwen Loan Servicing, LLC, ATTN: Cashiering Department, 1661 Worthington Rd., Suite 100, West Palm Beach, FL 33409-6493

District/off: 0315-2

User: dric  
Form ID: pdf900

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Total Noticed: 26

Date Rcvd: Jul 28, 2017

14070720 ##+Dyer Law Firm, P.C., 5743 Centre Avenue, Pittsburgh, PA 15206-3707

TOTALS: 13, \* 3, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 30, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 28, 2017 at the address(es) listed below:

David Z. Valencik on behalf of Attorney Calaiaro Valencik dvalencik@c-vlaw.com,  
cvlaw.ecf.dvalencik@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com  
Donald R. Calaiaro on behalf of Attorney Calaiaro Valencik dcalaiaro@c-vlaw.com,  
cvlaw.ecf.dcalaiaro@gmail.com; aheath@c-vlaw.com; kmosur@c-vlaw.com; bhassain@c-vlaw.com  
Erin P. Dyer on behalf of Creditor Dyer Law Firm, P.C. erindyer@wvlegalcounsel.com  
Heather A. Sprague on Behalf of the United States Trustee by on behalf of U.S. Trustee  
Office of the United States Trustee Heather.Sprague@usdoj.gov,  
Lisa.Geyer@usdoj.gov; David.A.Milko@usdoj.gov; David.A.Berry@usdoj.gov; Steven.W.Albright@usdoj.gov;  
Andrew.F.Cetnarowski@usdoj.gov  
James Warmbrodt on behalf of Creditor DLJ Mortgage Capital, Inc. bkgroup@kmlawgroup.com  
James A. Prostko on behalf of Creditor Wells Fargo Bank, N.A., as Trustee, for the  
certificate holders of Asset-Backed Pass-Through Certificates, Series 2005-WC3 pawb@fedphe.com,  
james.prostko@phelanhallinan.com  
James A. Prostko on behalf of Creditor OCWEN LOAN SERVICING, LLC AS SERVICER FOR WELLS FARGO  
BANK, N.A., AS TRUSTEE FOR THE POOLING AND SERVICING AGREEMENT DATED AS OF OCTOBER 1, 2004 PARK  
PLACE SECURITIES, INC. ASSET-BACKED PASS-THROUGH C pawb@fedphe.com,  
james.prostko@phelanhallinan.com  
James A. Prostko on behalf of Creditor Wells Fargo Bank, N.A., as Trustee, et al...  
pawb@fedphe.com, james.prostko@phelanhallinan.com  
Jeffrey J. Sikirica trusteesikirica@consolidated.net,  
PA59@ecfcbis.com; a.a.farrell@comcast.net; KTosadori@bglaw-llp.com; JSikirica@bglaw-llp.com  
Jeffrey J. Sikirica on behalf of Trustee Jeffrey J. Sikirica jsikirica@bglaw-llp.com,  
SikiricaLaw@consolidated.net; A.A.Farrell@comcast.net; KTosadori@bglaw-llp.com; JSikirica@bglaw-llp.  
com  
Jeffrey R. Hunt on behalf of Creditor Pittsburgh Water & Sewer Authority jhunt@grblaw.com,  
cnoroski@grblaw.com  
Jeffrey R. Hunt on behalf of Creditor City and School District of Pittsburgh jhunt@grblaw.com,  
cnoroski@grblaw.com  
Jeffrey R. Hunt on behalf of Creditor Allegheny County jhunt@grblaw.com, cnoroski@grblaw.com  
Jill Manuel-Coughlin on behalf of Creditor U.S. Bank National Association Et Al...  
jill@pkallc.com,  
chris.amann@pkallc.com; nick.bracey@pkallc.com; samantha.gonzalez@pkallc.com; harry.reese@pkallc.com  
Joseph P. Schalk on behalf of Creditor Wells Fargo Bank, N.A., et. al. pawb@fedphe.com,  
joseph.schalk@phelanhallinan.com  
Lois M. Vitti on behalf of Creditor Dyer Law Firm, P.C. jennifer@vittilaw.com,  
loismvitti@vittilaw.com  
Lois M. Vitti on behalf of Other Prof. 6350 Waldron Street, LLC jennifer@vittilaw.com,  
loismvitti@vittilaw.com  
Matthew Christian Waldt on behalf of Creditor Wells Fargo Bank, N.A., as Trustee, for the  
certificate holders of Asset-Backed Pass-Through Certificates, Series 2005-WC3  
mwaldt@milsteadlaw.com, bkecf@milsteadlaw.com  
Norman E. Gilkey on behalf of Mediator Norman Gilkey ngilkey@bccz.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
Peter J. Ashcroft on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com,  
ckutch@ecf.courtdrive.com; pashcroft@ecf.courtdrive.com; pghecf@bernsteinlaw.com; dschimizzi@bernste  
inlaw.com; acarr@bernsteinlaw.com; cabbott@ecf.courtdrive.com  
Ronald B. Roteman on behalf of Creditor Jennifer Mariani rroteman@stonecipherlaw.com,  
ykocher@stonecipherlaw.com  
S. James Wallace on behalf of Creditor Equitable Gas Bankruptcy Department sjw@sjwpggh.com,  
Equitablebankruptcy@peoples-gas.com; srk@sjwpggh.com

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User: dric  
Form ID: pdf900

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Total Noticed: 26

Date Rcvd: Jul 28, 2017

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)  
system (continued)

Sherri J. Braunstein on behalf of Creditor Ocwen Loan Servicing, LLC as servicer for U.S.  
Bank N.A., as Trustee for the registered holders of Structured Asset Securities Corporation,  
Mortgage Pass-Through Certificates, Series 2005-SC1 sbraunstein@udren.com, vbarber@udren.com  
Sherri J. Braunstein on behalf of Creditor U.S. Bank N.A., as Trustee for the registered  
holders of Structured Asset Securities Corporation, Mortgage Pass-Through Certificates, Series  
2005-SC1 sbraunstein@udren.com, vbarber@udren.com  
Stuart P. Winneg on behalf of Creditor U.S. Bank N.A., as Trustee for the registered holders  
of Structured Asset Securities Corporation, Mortgage Pass-Through Certificates, Series 2005-SC1  
swinneg@udren.com, cblack@udren.com

TOTAL: 26